

CONTINUED MEETING OF THE JASPER COUNTY BOARD OF COMMISSIONERS
June 17, 2013

The Jasper County Board of Commissioners met this date at 8:30 A.M. in the Commissioners' Room, Suite 202, of the Jasper County Courthouse located at 115 West Washington Street, Rensselaer, Indiana, with the following members present: Kendell Culp and James A. Walstra. Commissioner Richard E. Maxwell was absent. Also present was the Auditor of Jasper County, Kimberly K. Grow; Deputy Auditor, Donna J. Horner; Highway Engineer/Supervisor, Jack R. Haberlin; and the Attorney who represents the Commissioners, Eric Beaver.

GUARANTEED SAVINGS CONTRACT / EMCOR: Attorney Eric Beaver stated that he has been conferring with Craig Martin, Business Development Group Manager / EMCOR, over that last few weeks regarding the Guaranteed Savings Contract. Through these discussions, Attorney Beaver has had his questions answered and/or concerns addressed with regard to the drafting of the contract. Mr. Walstra questioned what the actual guaranteed savings for each year is? According to the contract, the guaranteed measured and verified savings for each year is \$27,214.45. The annual guaranteed savings is \$124,067.00. This amount is made up of \$4,802.55 in energy savings; \$92,050.00 in operation & maintenance and avoided cost of capital; and \$27,214.45 in guaranteed measured and verified savings. In response to some discussion, Attorney Beaver clarified that as he reads on page 10 of the contract, it is the county's choice each year whether to pay the \$3,500.00 for the Measurement and Verification services. As I read it, in any given year the county can elect to have the verification take place and pay the \$3,500.00 or simply stipulate that the savings exist and pay the lower figure of \$585.00. Mr. Walstra made a motion to approve the Guaranteed Savings Contract. Mr. Culp seconded and the motion carried. Attorney Beaver noted that at one point a discussion took place with Mr. Martin regarding some proposed language about the contract and protecting trade secrets. We agreed essentially that the contract is public record under the Public Record Law; however, the contract itself with some technical specifications and pricing information does fall under the definition of trade secrets under uniform law and under Indiana case law. There is a clause within the contract that essentially states that if a request is made for production of these documents to the public that we would give EMCOR a chance to review the document and point out to the county which portions of the contract it would consider trade secrets. Kurt Stevens, KB Solutions, stated that he will begin to provide updates at the monthly meetings.

MINUTES: Mr. Walstra made a motion to approve the Minutes of the Continued Meeting held on May 16, 2013 and the Minutes of the Regular Meeting held on June 3, 2013. Mr. Culp seconded and the motion carried.

PAYROLL: Mr. Walstra made a motion to approve the Payroll Claim & Allowance Docket for the check date equal to June 14, 2013. Mr. Culp seconded and the motion carried.

ANNUAL CONFERENCE / ASSOCIATION OF INDIANA COUNTIES: Carla Anderson, Treasurer; Kimberly Grow, Auditor; Vickie Bozell, Clerk; and Beth Warren, Recorder, would like permission to attend the AIC Association of Indiana Counties meeting at Belterra Resorts in Switzerland County. The conference will be held Monday, September 23 through Thursday, September 26. The costs incurred will be registration fees and some meals. Mr. Walstra made a motion to approve the request. Mr. Culp seconded and the motion carried.

X-SOFT SOFTWARE / ASSESSOR: Dawn Hoffman, Assessor, was present at the June 3 meeting to request permission to purchase new software. Bill Batley, IT, explained that the X-Soft software would be replacing ProVal (the software that is currently used). An IT Board meeting was held this morning at which all agreed that the software was okay to purchase on the stipulation that Ms. Hoffman had the funds available to purchase the software and the maintenance. Currently, Ms. Hoffman has \$200,000.00 within her Reassessment account plus an additional \$40,000.00 in her Sales Disclosure account. Nexus is currently paid out of the CREDIT fund; however, there has been some discussion about moving this to the Reassessment fund. If this change were to happen, there would not be enough funds to purchase the new software. Mr. Batley recommended that Nexus be left in the CREDIT fund and that the maintenance continue to be paid out of the IT budget. Attorney Beaver will review the contract. Mr. Walstra made a motion to approve the purchase of the X-Soft software pending Council review. Mr. Culp seconded and the motion carried.

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SURVEYOR PERPETUATION FUND / IPAD PURCHASE: Discussion took place at the IT Board Meeting in regards to the Surveyor purchasing an iPad to use out in the field to verify section corners. Mr. Culp stated that the Surveyor has a Section Corner Perpetuation Fund. Attorney Beaver was asked if the iPad along with the monthly fee can be paid for out of this fund? Attorney Beaver will review the Indiana Code to see if this is an allowable expense.

AMBULANCE SERVICE / BIDS: Bids will be taken at the August meeting for ambulance services. The current contract with Prompt Ambulance Service does not state that ALS (Advanced Life Support Service) needs to be provided. Attorney Beaver will add to the new contract. Discussion took place regarding equal subsidies going to those services that do not provide ALS service. Mr. Walstra stated that if they receive the same subsidy, they need to provide the same quality of care.

YOUTH CENTER: Mr. Culp explained that the county owns the Jasper County Youth Center building. Gibault has a five (5) year contract with the county that expires on the 2nd of August. They will not be renewing their contract. St. Joseph College deeded the land to the county for the construction of the youth center. There is a restriction that it would revert back to the college if it did not continue to be a youth center. Attorney Beaver will review the MOU and deed as well as the agreement with Gibault. Discussion also took place regarding the contents of the building.

SUMMER CONFERENCE / PROSECUTING ATTORNEY: Kathy O'Neill, Prosecuting Attorney, stated per letter that she along with her deputies will be attending the Attorney General's Summer Conference on June 26-28. Pursuant to statute, the Attorney General's Winter and Summer Conferences are paid by the County General Fund. Mr. Walstra made a motion to approve. Mr. Culp seconded and the motion carried. Mr. Walstra stated that if the county car is available, no mileage will be paid.

ELECTRONIC MAP DATA APPLICATION AGREEMENT / WTH: An Electronic Map Data Application requesting County GIS data was received from Orion Wind Resources, LLC. WTH will handle the request for a fee of \$750.00 from the applicant. Of this \$750.00, the county will receive a check in the amount of \$250.00. Mr. Walstra made a motion to approve the agreement. Mr. Culp seconded and the motion carried.

There being no further business, Mr. Walstra made a motion to adjourn. Mr. Culp seconded and the motion carried.

JASPER COUNTY BOARD OF COMMISSIONERS:

Kendell Culp, President

James A. Walstra, Vice President

Richard E. Maxwell, Member

ATTEST:

Kimberly K. Grow, Auditor of Jasper County

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